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8 Attorneys for LOS ANGELES COUNTY
9 FIRE CHIEF DARYL OSBY

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

GHELI CARPACCIO, an individual,

Plaintiff,

v.

CITY OF LOS ANGELES,
CALIFORNIA, SERGEANT
CATALDI, in his individual and
professional capacity, LOS ANGELES
POLICE CHIEF CHARLES BECK, in
his individual and professional capacity,
LOS ANGELES FIRE CHIEF DERYL
OSBY, in his individual and
professional capacity, GOOD
SAMARITAN HOSPITAL LOS
ANGELES, a California corporation
AND DOES 1 THROUGH 10,
inclusive,

Defendants.

CASE NO. CV12-06686RZ

**[PROPOSED] ORDER OF
DISMISSAL**

[F.R.C.P. Rule 41(a)(1)]

Assigned to the Honorable Ralph
Zarefsky

Courtroom no. 540

In consideration of the stipulation by and between the parties to this action through their designated counsel that the above-captioned action be dismissed, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure with prejudice only as to defendant Los Angeles County Fire Chief Daryl Osby. This matter is hereby ordered dismissed as to Defendant Osby.

1 IT IS SO ORDERED.

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3 DATED: October 03, 2012

4 By

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6 HON. RALPH ZARESKY
United States Magistrate Judge

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1 **PROOF OF SERVICE**
2 Case No. CV12-6686

3 STATE OF CALIFORNIA, County of Los Angeles:

4 Michelle Martinez, states: I am employed in the County of Los Angeles,
5 State of California, over the age of eighteen years and not a party to the within
6 action. My business address is 648 Kenneth Hahn Hall of Administration, 500 West
7 Temple Street, Los Angeles, California 90012-2713

8 That on October 2, 2012, I served the attached

9 **[PROPOSED] ORDER OF DISMISSAL**

10 upon Interested Party(ies) by placing the original a true copy thereof
11 enclosed in a sealed envelope addressed as follows as stated on the attached
12 service list:

13 **Michael R. Merslak**
14 **Law Offices of Michael R. Merslak**
15 **1809 W. 27th St.**
16 **Los Angeles, CA 90018**

17 **By United States mail.** I enclosed the documents in a sealed envelope
18 or package addressed to the persons at the addresses on the attached service
19 list (specify one):

20 (1) deposited the sealed envelope with the United States Postal Service,
21 with the postage fully prepaid.
22 (2) placed the envelope for collection and mailing, following ordinary
23 business practices. I am readily familiar with this business's practice
24 for collecting and processing correspondence for mailing. On the same
25 day that correspondence is placed for collection and mailing, it is
26 deposited in the ordinary course of business with the United States
27 Postal Service, in a sealed envelope with postage fully prepaid.

28 I am a resident or employed in the county where the mailing occurred.
29 The envelope or package was placed in the mail at Los Angeles,
30 California:

31 I declare under penalty of perjury under the laws of the State of California
32 that the foregoing is true and correct.

33 Executed on October 2, 2012, at Los Angeles, California.

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